

Docket No. TEC-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Frank PORTUGA:

GAU: 1655

SERIAL NO: 09/027,089

EXAMINER: J. Souaya

FILING DATE: February 2, 1998

FOR METHOD FOR IDENTIFYING SPECIES OF SHIGELLA AND E.COLI USING OPERON SEQUENCE ANALYSIS

## AMENDMENT TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231CERTIFICATION OF FACSIMILE TRANSMISSION  
I HEREBY CERTIFY THAT THIS PAPER IS BEING  
FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK  
OFFICE ON THE DATE SHOWN BELOW

SIR:

Transmitted herewith is an amendment in the above-identified application. PRINT NAME OF PERSON SIGNING CERTIFICATION  
*Nancy Axeltod*

No additional fee is required.

Applicant(s) is/are entitled to small entity status.

Additional documents filed herewith:

SIGNATURE *Nancy Axeltod* DATE 4/16/02

The fee has been calculated below:

CLAIMS	CLAIMS REMAINING		HIGHEST NO. PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	27	MINUS	20	7	x \$ 9 =	\$ 63.00
INDEPENDENT	5	MINUS	3	2	x \$42=	\$ 84.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS						
TOTAL OF ABOVE CALCULATIONS						
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<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY						
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+ \$40 =						
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\$147.00						

A check in the amount of \$ \_\_\_\_\_ is attached.

Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.36 for any necessary extension of time may be charged to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*Nancy Axeltod*Nancy J. Axeltod  
Atty., Registration No. 44,014  
Attorney/Agent for ApplicantsMILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
Arlington Courthouse Plaza I  
2200 Clarendon Blvd. Suite 1400  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

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Signature Nancy Auelrod DATE 4/16/02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Frank PORTUGAL.

Examiner: J. Souaya

Serial No.: 09/027,089

Group Art Unit: 1655

Filed: February 2, 1998

Title: **METHOD FOR IDENTIFYING SPECIES OF SHIGELLA AND E.COLI USING  
OPERON SEQUENCE ANALYSIS****PRELIMINARY AMENDMENT**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-referenced application as indicated below and consider the remarks which follow:

**IN THE SPECIFICATION:**

Please add after the title (*i.e.*, Nucleic Acid Probes for the Detection of Shigella) the following sentence: This application claims priority to U.S. provisional application SN 60/038,117, filed February 20, 1997, which is incorporated by reference herein in its entirety.

**IN THE CLAIMS:**

Please amend the claims as indicated:

19. (Amended) A method for discriminating between species of Shigella and E. coli or for discriminating among species of Shigella and E. coli in a sample containing organisms of one or more taxonomic groups comprising: